

Remarks

Reconsideration and allowance of the subject patent application are respectfully requested.

Applicants' representative wishes to thank Examiner Patel for the courtesy extended during the interview on July 13, 2004. The substance of this interview is reflected in the remarks below.

As requested, a new Abstract containing less than 150 words is provided.

Claims 1-19 were rejected under 35 U.S.C. Section 112, second paragraph, as allegedly failing to define the invention. Claims 1-14 and 16 were rejected under 35 U.S.C. Section 112, second paragraph, as allegedly being indefinite. As discussed at the interview, new claims 20 and 21 are presented in place of claims 1 and 18 to advance prosecution. These claims correspond to the proposed claims discussed at the interview and are believed to be in full compliance with 35 U.S.C. Section 112, second paragraph. Conforming and clarifying amendments have been made to the other claims. Withdrawal of the Section 112, second paragraph, rejections as noted in the Interview Summary is respectfully requested.

Claims 16, 17 and 19 were rejected under 35 U.S.C. Section 101 as allegedly being directed to non-statutory subject matter. As discussed at the interview, the claims have been amended along the lines discussed at the interview and withdrawal of the Section 101 rejection as noted in the Interview Summary is respectfully requested.

Claims 1 and 16-19 were rejected under 35 U.S.C. Section 102(a) as allegedly being anticipated by Mori et al. (U.S. Patent No. 6,085,168). While not acquiescing in this rejection, as noted above, claims 1 and 18 have been canceled without prejudice or disclaimer and rewritten as claims 20 and 21, respectively. As such, the discussion below makes reference to the amended claims.

As discussed at the interview, Mori et al. discloses a commerce settlement system that involves "provisional settlement money" which is communicated from a purchaser's processing unit to a seller's processing unit. See, e.g., Figures 2, 3 and 5 of Mori et al. More specifically, in Mori et al., the purchaser's processing unit transmits provisional settlement money to the seller's processing unit and the processing unit of the purchaser's financial institution transmits

electronic money. In contrast, certain example embodiments of the subject application describe, among other things, systems and methods in which, for example, the purchaser is not involved in financial transactions with the seller. See, e.g., Figure 5 of the subject application which shows that credit data and payment data is supplied to the seller by the reconciliation unit, not the buyer terminal. In addition, in these example embodiments, the payment process can occur after the receipt of goods, so that it is possible to avoid the situation where a buyer pays for goods or services, but does not receive them.

Each of claims 20 and 21 specifies that the reconciliation unit sends credit data and payment data to the seller terminal. As discussed at the interview, because Mori et al. at least fails to show a reconciliation unit that sends credit and payment data to a seller terminal as noted above, Mori et al. cannot anticipate claim 20 or claim 21.

With regard to claim 16, this claim specifies, among other things, that a reconciliation unit sends credit data to the seller terminal and generates a bill or a claim for payment for the buyer. Mori et al. lacks these features and thus this claim is not anticipated by Mori et al.

With regard to claim 17, this claim specifies, among other things, a reconciliation server that sends credit data to a seller terminal, delivery list data to a buyer terminal and a claim for payment to the buyer. Mori et al. lacks these features and thus this claim is not anticipated by Mori et al.

With regard to claim 19, this claim specifies, among other things, a reconciliation server that sends credit and payment data to a seller terminal and thus Applicants respectfully submit that this claim is not anticipated by Mori et al.

New claims 22-27 have been added. The subject matter of these new claims is fully supported by the original disclosure and no new matter is added. These claims are based on the proposed claims discussed at the interview and are believed to distinguish over Mori et al.

WASHIZUKA et al.

Serial No. 09/675,252

Response to Office Action dated March 24, 2004

The pending claims are believed to be in condition for allowance and favorable office action is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

A handwritten signature in cursive script, appearing to read "Michael J. Shea", written over a horizontal line.

Michael J. Shea

Reg. No. 34,725

MJS:mjs

1100 North Glebe Road, 8th Floor

Arlington, VA 22201-4714

Telephone: (703) 816-4000

Facsimile: (703) 816-4100